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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/773,307 | 02/09/2004 | Yasuhide Ichifuji | 500.35360CX2 | 6641 |
| 20457 | 7590 | 06/14/2006 | [REDACTED] | EXAMINER |
| ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873 | | | TRAN, TRANG U | |
| | | | [REDACTED] | ART UNIT |
| | | | | PAPER NUMBER |
| | | | 2622 | |

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/773,307 | ICHIFUJI ET AL. | |
| | Examiner Trang U. Tran | Art Unit 2622 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 March 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 12-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 19-21 and 29-31 is/are rejected.
- 7) Claim(s) 12-31 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. 08/844,431.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 26, 2006 has been entered.

Response to Arguments

2. Applicant's arguments filed March 10, 2006 have been fully considered but they are not persuasive.

In re pages 27-29, applicants argue, with respect to claims 19-21 and 29-31, that Coleman et al and Bruette et al fail to teach/suggest the claimed feature "a full display controller to control display, in a second prescribed zone, of a program start time and a program end time of a program of a selected background information block whose background information block is changed in shape in the first prescribed zone by the display change controller, wherein the full display controller controlling display of the program start time and program end time occur CONCURRENTLY TOGETHER WITH the selected background information block on a same display WHENEVER THE SELECTED BACKGROUND INFORMATION BLOCK IS SELECTED".

In response, the examiner respectfully disagrees. As discussed in the last Office Action, Coleman et al discloses in col. 22, lines 46-50 that "The "Info" button 314

produces a **banner display** with provides information on the programming service currently being viewed. This information can include the channel identifier, the title of the program, and the **program run-time**, as well as the other information mentioned hereinabove". From the above passage, it is clear that the "Info" button of Coleman et al allows the program run-time to display concurrently together with the selected background information block on a same display whenever the selected background information block is selected. Thus, Coleman et al does indeed discloses the claimed feature "a full display controller to control display, in a second prescribed zone, of a program start time and a program end time of a program of a selected background information block whose background information block is changed in shape in the first prescribed zone by the display change controller, wherein the full display controller controlling display of the program start time and program end time occur CONCURRENTLY TOGETHER WITH the selected background information block on a same display WHENEVER THE SELECTED BACKGROUND INFORMATION BLOCK IS SELECTED" (the "Info" button).

Claim Objections

3. Claims 12-31 are objected to because of the following informalities:

In claim 12, line 4, the phrase "a video program" should be changed to ---the video program—and line 16, phrase "the particular program" should be changed to —a particular program—and lines 20-21, the phrase "the particular future" should be changed to – a particular future--.

In claim 13, line 1, the phrase “A digital receiver” should be changed to ---The digital receiver--.

In claim 14, line 1, the phrase “A digital receiver” should be changed to ---The digital receiver--.

In claim 15, line 4, the phrase “a video program” should be changed to ---the video program—and line 12, phrase “the particular program” should be changed to –a particular program—and lines 20-21, the phrase “the particular future” should be changed to – a particular future--.

In claim 16, line 1, the phrase “A digital receiver” should be changed to ---The digital receiver--.

In claim 17, line 1, the phrase “A digital receiver” should be changed to ---The digital receiver--.

In claim 18, line 1, the phrase “A digital receiver” should be changed to ---The digital receiver--.

In claim 19, line 5, the phrase “a video program” should be changed to ---the video program—.

In claim 20, line 1, the phrase “A digital receiver” should be changed to ---The digital receiver—and lines 2-3, the phrase “of a program” should be changed to –of the program--.

In claim 21, line 1, the phrase “A digital receiver” should be changed to ---The digital receiver--.

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In claim 22, line 5, the phrase “a video program” should be changed to ---the video program—and line 15, phrase “the particular program” should be changed to —a particular program—and line 25, the phrase “the particular future” should be changed to – a particular future--.

In claim 23, line 1, the phrase “A system” should be changed to ---The system--.

In claim 24, line 1, the phrase “A system” should be changed to ---The system--.

In claim 25, line 6, the phrase “a video program” should be changed to ---the video program—and line 16, phrase “the particular program” should be changed to —a particular program—and line 26, the phrase “the particular future” should be changed to – a particular future--.

In claim 26, line 1, the phrase “A system” should be changed to ---The system--.

In claim 27 line 1, the phrase “A system” should be changed to ---The system--.

In claim 28, line 1, the phrase “A system” should be changed to ---The system--.

In claim 29, line 6, the phrase “a video program” should be changed to ---the video program—.

In claim 30, line 1, the phrase “A system” should be changed to ---The system-- and lines 2-3, the phrase “of a program” should be changed to —of the program--.

In claim 31, line 1, the phrase “A system” should be changed to ---The system--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 19-21 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coleman et al (US Patent No. 5,844,620) in view of in view of Bruette et al (US Patent No. 5,828,419).

In considering claim 19, Coleman et al discloses all the claimed subject matter, note 1) the claimed a receiver provided in the digital receiver which receives video program and program information including a title and time information of a video program is met by the cable television receiver 32 (Fig. 2, col. 13, line 38 to col. 16, line 65), 2) the claimed a video decoder provided in the digital receiver which decodes the received video program is met by the video processor 52 (Fig. 2, col. 13, line 38 to col. 14, line 7), 3) the claimed a menu-grid display controller provided in the digital receiver to effect display a menu of at least present and future programs for a plurality of channels in a grid is met by the display of Fig. 10 which displays the present and future programs (Figs. 6-10, col. 21, line 1 to col. 22, line 50), 4) the claimed a display change controller provided in the digital receiver which changes a displayed shape of a particular background information block indicative of a program time period in the grid when the program time period indicated by the particular background information block exceeds a program time period which is displayed in a first prescribed zone is met by the title fields 257 and 258 of the program guide display of Fig. 10 which have distinctive appearance, such as a triangular shaped end, that indicates that the program extends beyond the current time window (Fig. 10, col. 21, line 44 to col. 22, line 57), 5) the

claimed a full display controller provided in the digital receiver to control display, in a second prescribed zone, of a program start time and a program end time of a program of a selected background information block whose background information block is changed shape in the first prescribed zone by the display change controller, wherein the full display controller controlling display of the program start time and program end time to occur concurrently together with the selected background information block on a same display whenever the selected background information block is selected is met by the arrow buttons 300 and 304 which are used to scroll the display to the time or date later or earlier than the time and date presently displayed and the "info" button 314 under controlled of the microprocessor 36 (Fig. 10, col. 21, line 44 to col. 22, line 57), and 6) the claimed an outputter provided in the digital receiver which outputs the character information generated by the menu-grid display controller, the display change controller and the full display controller is met by the display monitor 54 (Fig. 2, col. 13, line 49 to col. 14, line 7).

However, Lawler et al. explicitly does not disclose the claimed an information decoder provided in the digital receiver which decodes the received program information.

Bruette et al teach that the MPEG chip 22 comprises a video decoder and on screen display generator 24, and an audio decoder 25, the MPEG chip 22 functions to decompress the audio and video data output by the channel demultiplexer 16, which is transmitted by the provider in a compressed format (Fig. 1, col. 3, lines 10-59).

Therefore, it would have been obvious to one ordinary skill in the art at the time

of the invention to incorporate the a video decoder and on screen display generator as taught by Bruette et al into Coleman et al's system in order to decode the information data so that it can be displayed on the television receiver.

In considering claim 20, the claimed wherein the omission display controller has a comparator to compare the time information of a program with a time band to be displayed in the first prescribed zone is met by the microprocessor 15 which can compare the restriction criteria input by the viewer to determine which program events should be denoted (Fig. 1, col. 5, lines 4-17 of Bruette et al).

Claim 29 is rejected for the same reason as discussed in claim 19 and further the claimed a television display unit provided in the digital receiver to receive an output from the video decoder and outputter to display the at least one of video program or character information of programs is met by the display monitor 54 (Fig. 2, col. 13, line 49 to col. 14, line 7 of Coleman et al).

Claim 30 is rejected for the same reason as discussed in claim 20.

In considering claim 31, the claimed a multiplexer provided in the digital receiver which multiplexes the decoded video program and the character information of programs is met by the output drivers 28 (Fig. 1, col. 3, lines 33-59 of Bruette et al).

Allowable Subject Matter

6. Claims 12-18 and 22-28 would be allowable if written to overcome the objections discussed above.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TT
June 12, 2006


Trang U. Tran
Examiner
Art Unit 2622